THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.27266 OF 2005

Dated: 23-12-2005

Between

Jonnalagadda Narayana Rao, S/o. Sarvothama Rao,

Vice President, Vavveru Cooperative Rural Bank

Limited, Buchireddypalem Village and Mandal,

Nellore District and others.

...PETITIONERS

AND

The Registrar of Andhra Pradesh Cooperative Societies,

Government of Andhra Pradesh, Hyderabad and others.

...RESPONDENTS

ORDER:

Petitioners question the action of the respondents in not considering and disposing the representation dated 19.12.2005 filed by them for the purpose of holding re-election for the Vavveru Cooperative Society.

Learned Government Pleader appearing for the respondents submits that the elections to the said society have already been conducted.

Section 61(3) of the Andhra Pradesh Cooperative Societies Act (for short 'the Act'),

1964, deals with the dispute relating to the conduct of election. Under Section 61(3) of the Act every dispute relating to, or in connection with, any election to a committee of a Society shall be referred for decision to the Tribunal having jurisdiction over the area.

Therefore, the petitioners are not entitled for any relief in this writ petition filed under Article 226 of the Constitution of India as the elections are already conducted.

In view of the effective alternative remedy available to the petitioners under Section 61(3) of the Act, the writ petition is accordingly dismissed with a liberty to the petitioners to file an election petition.

_____

V. ESWARAIAH, J

December 23, 2005

DSK